

IN RE: PETITION FOR ZONING VARIANCE
E/S Falls Road, 1300' N of
Applecroft Lane
(12325 Falls Road)
8th Election District
3rd Councilmanic District
Robert J. Hoffman
Petitioner

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 88-280-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a variance to permit a side yard setback of 22 feet in lieu of the required 50 feet and a setback of 61 feet to the center of the road in lieu of the required 75 feet for a proposed addition, as more particularly described on Petitioner's Exhibit 1.

The Petitioner and his wife, Sherry, appeared and testified. There were no Protestants.

Based upon the testimony and evidence presented at the hearing, all of which was uncontradicted, it is the opinion of the Zoning Commissioner that the relief requested sufficiently complies with the requirements of Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.) and therefore, the variances should be granted. There is no evidence in the record that the subject variances would adversely affect the health, safety, and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the requested variances should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 14th day of March, 1988 that a side yard setback of 22 feet in lieu of the required 50 feet and a setback of 61 feet to the center of the road in lieu of the required 75 feet for a proposed addition, in accordance with Petitioner's

Exhibit 1, be approved, and as such, the Petition for Zoning Variance is hereby GRANTED, subject, however, to the following restriction:

1) The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

2) The Petitioner will not allow or cause the proposed addition to be converted to a two-family or second dwelling unit and/or apartment. There shall be only one kitchen facility for the entire dwelling.

3) Petitioner shall comply with all requirements of the State Highway Administration as set forth in their comments dated October 23, 1987, a copy of which is attached hereto.

J. Robert Haines
Zoning Commissioner of
Baltimore County

ORDER RECEIVED FOR FILING
2-23-88
By: [Signature]

Robert J. Hoffman
E/S Falls Rd, 1300' N of Applecroft Lane
(12325 Falls Road)
88-280-A

CERTIFICATE OF PUBLICATION

TOWSON, MD., Jan 7, 1988
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on Jan. 7, 1988.

THE JEFFERSONIAN,

NOTICE OF HEARING
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:
Case number: 88-280-A
E/S Falls Road, 1300' N of Applecroft Lane
(12325 Falls Road)
8th Election District - 3rd Councilmanic District
Robert J. Hoffman - Petitioner
DATE/TIME: Tuesday, January 26, 1988 at 2:00 p.m.
Variance to permit a side yard setback of 22 feet in lieu of the required 50 feet and a setback of 61 feet to the center of the road in lieu of the required 75 feet.
In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the variance or request for a stay of the hearing or request for a stay of the appeal period. Such request must be in writing and received in the office of the Zoning Commissioner on or before the date of the hearing or appeal period or presented at the hearing.
J. ROBERT HAINES
Zoning Commissioner of Baltimore County
1408 Jan. 7.

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Case number: 88-280-A
E/S Falls Road, 1300' N of Applecroft Lane
(12325 Falls Road)
8th Election District - 3rd Councilmanic District
Robert J. Hoffman - Petitioner
DATE/TIME: Tuesday, January 26, 1988 at 2:00 p.m.

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BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 41658

DATE: 1/26/88 ACCOUNT: 41658

RECEIVED FROM: [Signature] AMOUNT: \$

FOR: [Signature] VALIDATION OR SIGNATURE OF CASHIER

PETITION FOR ZONING VARIANCE TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1A04.3.B.3.10. to permit a side yard setback of 22 feet in lieu of the required 50 feet and a setback of 61 feet to the center of the road in lieu of the required 75 feet.

1. We need more living space for our 2 yr. old, recently widowed mother and her 92 yr. old father and nurse.
2. We need to build adjacent to existing structure to prevent tearing down a 900-1100 sq. ft. three level deck and relocating the well and septic. It is by far the most practical from an affordability standpoint.
3. We would like to use A-frame continuous roof off existing structure. It is by far the most practical from an affordability standpoint.
4. Only practical design we have been able to afford that also works with the flow of the property.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I do solemnly declare and affirm, under the penalties of perjury, that I am the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: [Signature]
(Type or Print Name)
Signature: [Signature]
(Type or Print Name)
Address: [Signature]
(Type or Print Name)
City and State: [Signature]
(Type or Print Name)
Attorney for Petitioner: [Signature]
(Type or Print Name)
Address: [Signature]
(Type or Print Name)
City and State: [Signature]
(Type or Print Name)
Attorney's Telephone No.: [Signature]
(Type or Print Name)

ORDERED BY The Zoning Commissioner of Baltimore County, this 12th day of March, 1988, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 26th day of January, 1988, at 2 o'clock P.M.

J. Robert Haines
Zoning Commissioner of Baltimore County

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3353

J. Robert Haines
Zoning Commissioner

November 24, 1937

Mr. Robert J. Hoffman
12325 Falls Road
Cockeysville, Maryland 21030

Re:

Case number: 88-280-A
E/S Falls Road, 1300' N of Applecroft Lane
(12325 Falls Road)
8th Election District - 3rd Councilmanic District
Robert J. Hoffman - Petitioner

Dear Mr. Hoffman:

Please be advised that [Signature] is due for advertising and posting of the above-referenced property. All advertising and posting fees must be paid prior to the hearing. Do not remove the sign from the property from the time it is posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE COMMISSIONER OF FINANCE MUST BE NOTIFIED IN THE PAY OF THE HEARING OF THE ZONING COMMISSIONER OF BALTIMORE COUNTY.

Please make your check payable to Baltimore County, Maryland and forward to the Zoning Office, County Office Building, Room 111, Towson, Maryland 21204.

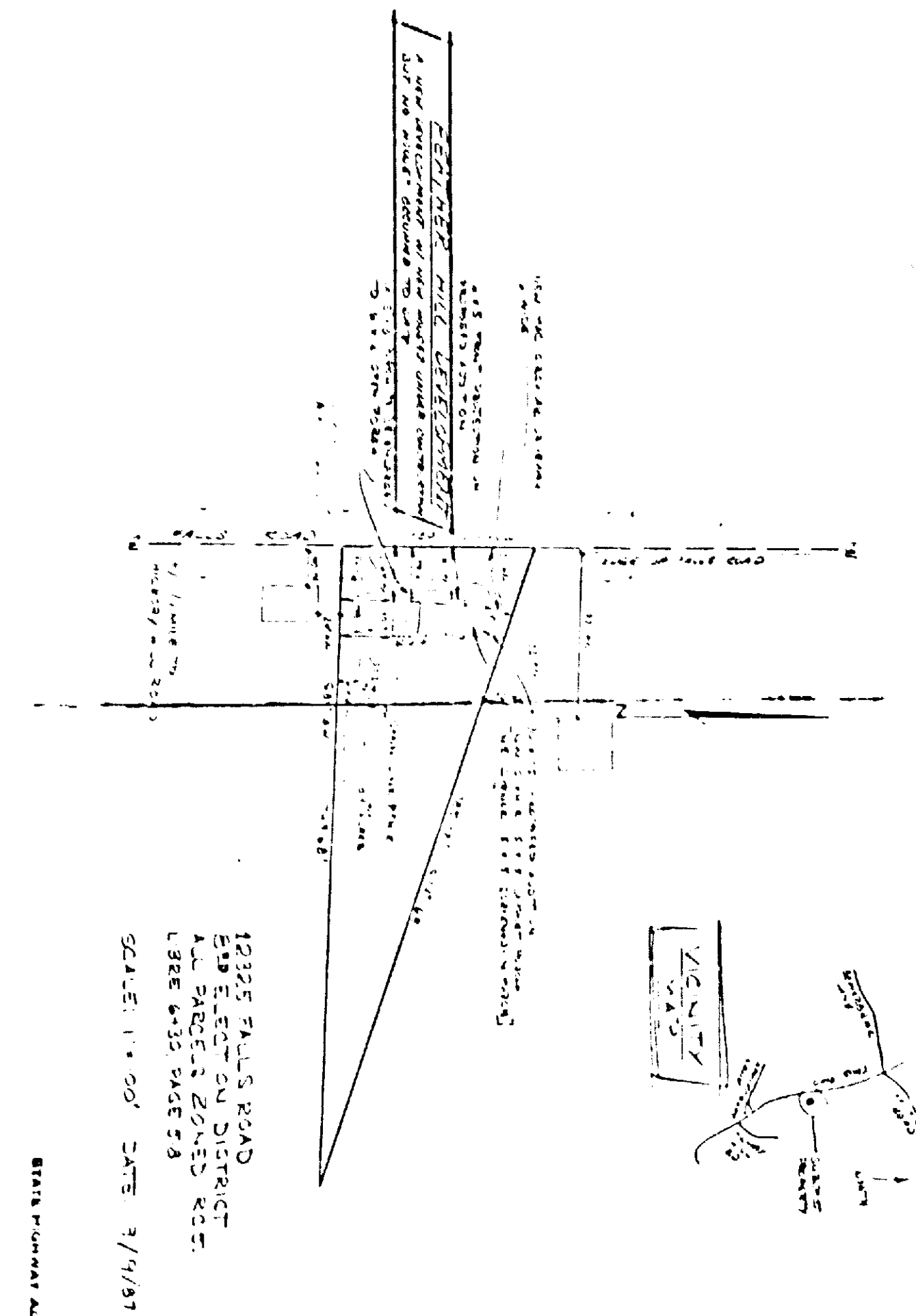
Very truly yours,
J. Robert Haines
Zoning Commissioner of Baltimore County

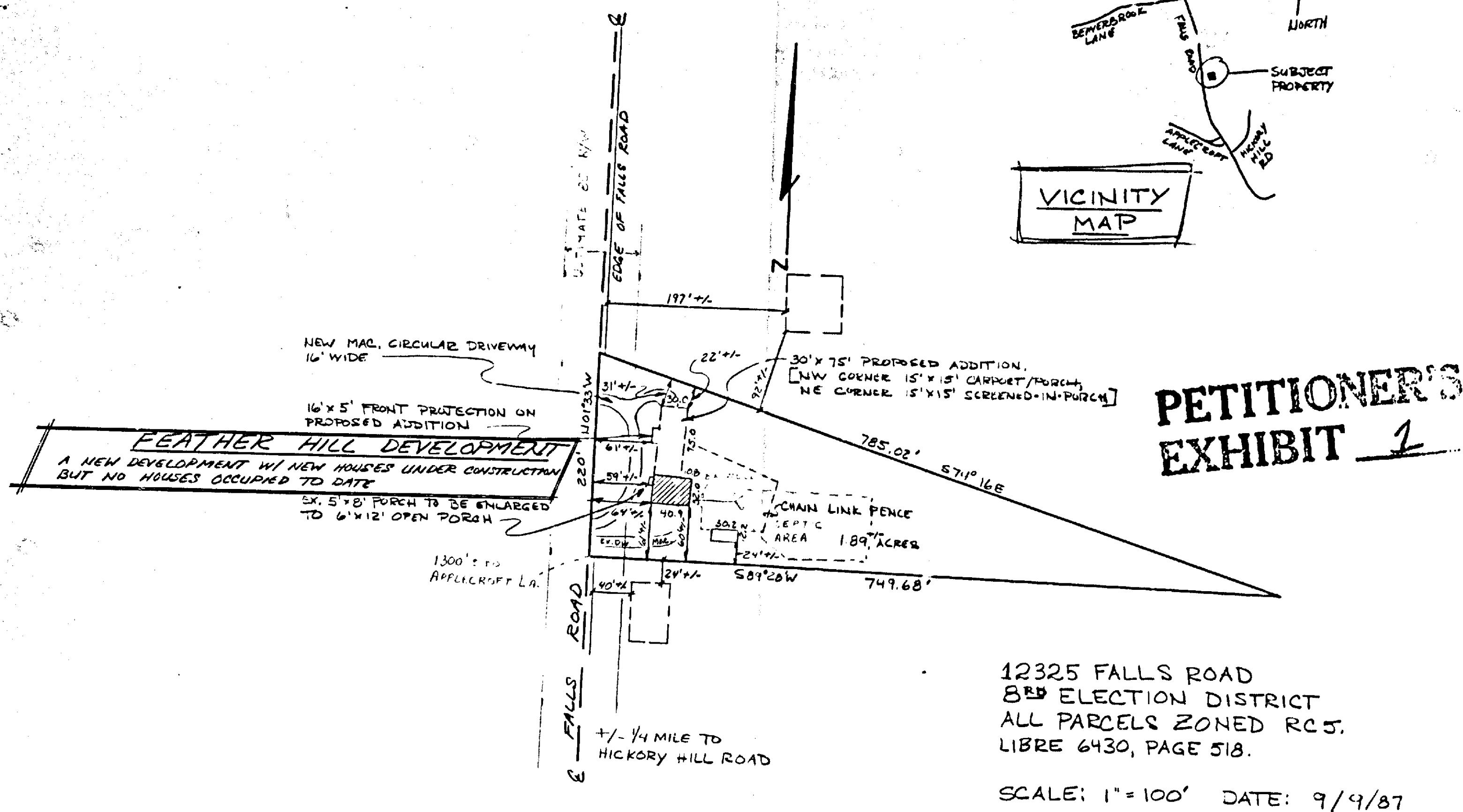
JRH: [Signature]
cc: file

BEGINNING for the same in the center of the Falls Road at the beginning of a parcel of land which by a Deed dated August 13, 1948 and recorded among the Land Records of Baltimore County in Liber T.B.S. No. 1680, folio 577, was conveyed by Clarence A. Fischer and wife to Edith C. Byrd and running thence with and binding on the first line of said parcel of land South 74 degrees 16 minutes East 785.02 feet to the end of said first line and to the end of the third line of a parcel of land which by a Deed dated October 11, 1950 and recorded among the Land Records of Baltimore County in Liber T.B.S. No. 1890, folio 334, was conveyed by Edith C. Byrd to Gordon P. Baird and wife, thence binding reversely on said third line South 89 degrees 28 minutes West 749.68 feet to the center of the Falls Road and to a point in the last line of the aforesaid parcel of land which was conveyed by Fischer to Byrd and thence running with and binding on a part of said last line and in the center of the Falls Road North 1 degree 33 minutes West 220 feet to the place of beginning. Containing 1.89 acres, more or less. The improvements thereon being known as 12325 Falls Road.

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: [Signature] Date of Posting: Jan 7-88
Posted for: [Signature]
Petitioner: [Signature]
Location of property: [Signature]
Location of Sign: [Signature]
Remarks: [Signature] Date of return: Jan 12-88
Posted by: [Signature]
Number of Signs: [Signature]





NOTICE OF HEARING
The Zoning Commission of Baltimore County, by authority of the Board of Commissioners, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:
Case number: 88-280-A
1300' x 10' Applecroft Lane (13235 Falls Road)
8th Election District - 3rd Councilmanic District
Robert J. Hoffman - Petitioner
Date/Time: Tuesday, January 26, 1988 at 2:30 p.m.
Variances to permit "a side yard setback of 22 feet in lieu of the required 50 feet and a setback of 11 feet to the center of the road in lieu of the required 75 feet."
In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commission will, however, entertain any request for a stay of the issuance of said permit during the period for good cause shown. Such request must be in writing and received in the office by the date of the hearing set above or presented at the hearing.
J. Robert Haines
Zoning Commissioner
of Baltimore County
807-Towson, Md. 21204

Office of PATUXENT Publishing Company
10750 Line Parkway
Columbia, MD 21044
January 13 19 88
THIS IS TO CERTIFY, that the annexed advertisement of notice of hearing was inserted in the following:
☐ Calverville Times ☐ Booster Weekly
☐ Arbutus Times ☐ Owings Mills Flier
☐ Reporter Weekly ☐ Towson Flier
weekly newspapers published in Baltimore County, Maryland once a week for _____ successive weeks before the _____ day of _____, 1988, that is to say, the same was inserted in the issues of
January 7, 1988
PATUXENT PUBLISHING COMPANY
By _____

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204
Your petition has been received and accepted for filing this 3rd day of November, 1987.
J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER
Petitioner: Robert J. Hoffman
Petitioner's Attorney: _____
Received by: James E. Dyer
Chairman, Zoning Plans Advisory Committee

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
County Office Building
Cours Building, Suite 405
Towson, Maryland 21204
410-3554
October 16, 1987
Zoning Commissioner
County Office Building
Towson, Maryland 21204
Dear Zoning Commissioner:
The Bureau of Traffic Engineering has no comments for items number 120, 121, 122, 123, 124, 126, 128, and 129.
Very truly yours,
Michael S. Flanagan
Michael S. Flanagan
Traffic Engineer

Baltimore County
Fire Department
Towson, Maryland 21204-2586
494-4500
Paul H. Reincke
Chief
October 19, 1987
J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204
Re: Property Owner: Robert J. Hoffman
Location: E/S Falls Road, 1300' N. Applecroft Lane
Item No.: 122 Zoning Agenda: Meeting of 10/13/87
Gentlemen:
Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.
() 1. Fire hydrants for the referenced property are required and shall be located at intervals or _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
() 2. A second means of vehicle access is required for the site.
() 3. The vehicle dead end condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.
() 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
(x) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy.
() 6. Site plans are approved, as drawn.
() 7. The Fire Prevention Bureau has no comments at this time.
REVIEWER: *John F. O'Neill*
Noted and Approved: _____
Planning Group
Special Inspection Division

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE
January 12, 1988
COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204
000
MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development
Mr. Robert J. Hoffman
12325 Falls Road
Cockeysville, Maryland 21030
RE: Item No. 122 - Case No. 88-280-A
Petitioner: Robert J. Hoffman
Petition for Zoning Variance
Dear Mr. Hoffman:
The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.
Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.
Very truly yours,
James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee
JED:kbb
Enclosures

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE
Mr. J. Robert Haines
TO: Zoning Commissioner
Norman E. Gerber, AICP
FROM: Director of Planning and Zoning
Zoning Petitions No. 88-273-A, 88-276-A,
SUBJECT: 88-273-A, 88-276-A, 88-279-A, 88-280-A
Date: December 9, 1987
There are no comprehensive planning factors requiring comment on this petition.
Norman E. Gerber, AICP
Director
RE: 88-273-A, 88-276-A, 88-279-A, 88-280-A
cc: Mr. Shirley M. Hess, Legal Assistant, People's Counsel
File

Maryland Department of Transportation
State Highway Administration
Richard H. Trainor
Secretary
Hal Kassoff
Administrator
October 23, 1987
Re: LAC Meeting of Oct. 13, 1987
ITEM: 4122
Property Owner: Robert J. Hoffman
Location: E/S Falls Road, Route 25
1300' N. Applecroft Lane
Existing Zoning: R.C. 5
Proposed Zoning: Variance to permit a side yard setback of 22 feet in lieu of the required 50 feet and a setback of 11 feet to the center of the road in lieu of the required 75 feet.
Area: 1.89 acres
District: 8th Election District
At Mr. Haines:
On review of the submittal of September 9, 1987 the State Highway Administration - Bureau of Engineering Access Permits finds the site plan generally acceptable.
All residential access to the proposed site by way of the 16' circular driveway must be through the District #4 Resident Maintenance Engineer, Mr. Gary Evers (410-974-5311) at 5375 Pulaski Highway, Rosedale, Md. 21237.
If you have any questions, please contact Larry Kroceto at 333-1350.
Very truly yours,
Charles J. Mills, Jr.
Charles J. Mills, Jr.
Acting Chief
Bureau of Engineering Access Permits
RECEIVED
OCT 29 1987
ZONING OFFICE
LHM:aw
Attachment
cc: Mr. G. Evers
My telephone number is (301) 333-1350.
Teletypewriter for impaired hearing or speech
800-7555 Baltimore Metro - 365-0451 D.C. Metro - 1-800-492-3062 Statewide Toll Free
127 North Calvert St., Baltimore, Maryland 21203-0717